

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RYAN C. HENRY, et al.,

Plaintiffs,

CIVIL CASE NO. 04-40346

v.

QUICKEN LOANS, INC., et al.,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

Defendants.

_____ /

ORDER ACCEPTING REPORT AND RECOMMENDATION

Before the Court are Defendants' "Motion to Dismiss Jeffrey Bade and Jennifer Deuby as Consenting Plaintiffs Due to Failure to Permit Discovery and For Assessment of Costs and Attorney's Fees Pursuant to F.R.C.P. 37," filed May 25, 2005, and "Motion to Dismiss Matthew Moskus as a Consenting Plaintiff Due to Failure to Permit Discovery and For Assessment of Costs and Attorney's Fees Pursuant to F.R.C.P. 37," filed August 31, 2005. Also before the Court is the Report and Recommendation of the Honorable Wallace Capel, Jr., United States Magistrate Judge. The Magistrate Judge filed the Report and Recommendation on March 7, 2006 and notified all the parties that any objections must be filed within ten days of service. Neither party has filed objections to the Report and Recommendation.

The Court's standard of review for a Magistrate Judge's Report and Recommendation depends upon whether a party files objections. If a party does not object to the Report and Recommendation, the Court does not need to conduct a review by any standard. *See Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed,

“[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Since neither party has filed objections to the Report and Recommendation, the Court need not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendation [docket entry 242] is **ACCEPTED and ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Defendants’ motions to dismiss [docket entries 133 and 161] are **GRANTED** according to the terms of the Magistrate Judge’s Report and Recommendation.

IT IS FURTHER ORDERED that Plaintiffs Jeffery Bode, Jennifer Deuby, and Matthew Moskus are **DISMISSED WITH PREJUDICE** from this lawsuit.

SO ORDERED.

Dated: March 29, 2006

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on March 29, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Kathleen L. Bogas; Kimberly J. Bull; Lawrence G. Campbell; Charlotte Croson; Robert P. Davis; Sheryl A. Laughren; Paul J. Lukas; Donald H. Nichols; James B. Perry; Rachhana T. Srey, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
(810) 341-7845